

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

CHRISTOPHER EVERETT
ADC #152664

PLAINTIFF

v.

No. 3:20-cv-220-DPM-JJV

SHAWN RICHARD, Mental Health,
ADC; PIERCE, Assistant Warden, ADC;
and FAUST, Warden, ADC

DEFENDANTS

ORDER

1. Everett's sixth motion to appoint counsel, *Doc. 64*, is denied for the reasons the previous motions were denied. *Doc. 9, 35, 37, 43 & 51*. Neither the facts nor the claims are complex enough to warrant appointed counsel; and Everett has ably represented himself in this case. *Plummer v. Grimes*, 87 F.3d 1032, 1033 (8th Cir. 1996).

2. On *de novo* review, the Court adopts Magistrate Judge Volpe's recommendation, *Doc. 63*, and overrules Everett's objections, *Doc. 66*. FED. R. CIV. P. 72(b)(3). Everett hasn't met proof with proof to show that the Defendants were deliberately indifferent to his serious medical needs. The motions for summary judgment, *Doc. 55 & 58*, are therefore granted. Everett's deliberate indifference claims against Richard, Pierce, and Faust will be dismissed with prejudice.

3. Everett's motion for an examination by an outside psychologist to prove damages, *Doc. 65*, is denied without prejudice as moot.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

21 JUNE 2021